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PATENT

MS116627.01

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being faxed to 571-273-8300 on the date shown below to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date:

7/26/06


Heather Holmes**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant: Matthew J. Conway

Examiner: Tadesse Hailu

Serial No: 09/335,640

Art Unit: 2173

Filing Date: June 18, 1999

Title: METHODS, APPARATUS, AND DATA STRUCTURES FOR PROVIDING A
USER INTERFACE TO OBJECTS, THE USER INTERFACE EXPLOITING
SPATIAL MEMORY AND VISUALLY INDICATING AT LEAST ONE OBJECT
PARAMETER

Box DAC
Commissioner for Patents
P. O. Box 1450
U.S. Patent and Trademark Office
Alexandria, VA 22313-1450

07/27/2006 CHGUYEN1 00000002 09335640

01 FC:1453 1500.00 DA

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37CFR 1.137 (B)**

Dear Sir:

The above-identified application became abandoned for failure to timely pay the required Issue Fee and Publication Fee. In a conversation and follow-up facsimile, marked as Exhibit A, Examiner Tadesse Hailu of art unit 2173 of the United States Patent and Trademark Office, states that the Notice of Allowance was mailed to our office July 25, 2005. Applicants' representative

09/335.640MS116627.01/MSFTP362US

did not receive said Notice of Allowance and submits as Exhibit B, a copy of Applicants' docket reflecting no due date to pay the Issue Fee. Therefore, Applicants' representative respectfully request entry of the Issue Fee payment and revival of the patent application.

Since Applicants' representative failed to receive the Notice of Allowance, we believe no fee is due for this Petition to Revive.

Applicants' representative respectfully submits that any abandonment of the application was unintentional and without deceptive intent.

Since the above identified utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

A credit card charge form is attached for payment of the Issue Fee. Should the Commissioner feel the Petition to Revive is thru Applicants' neglect, the Commissioner is authorized to charge the Petition Fee of \$1,500.00 as well as any other fees that may be due in connection with this submission and any associated documents accompanied herewith to Deposit Account No. 50-1063 [Order No. MSFTP362US].

Respectfully submitted,
AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone: (216) 696-8730
Facsimile: (216) 696-8731

Date July 12, 2006
From: USPTO Examiner, Tadesse Hailu
Tel No. (571) 272-4051

Re: Requested copy of *Notice of Allowance* of case 09/335,640

Attention to: Heather
Fax No. (216) 696-8731

Here is the requested copy of the *Notice of Allowance* which
was mailed from the Office (US PTO) on July 25, 2005.
Now the case is abandoned for failure to pay Issue fee.

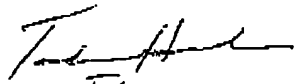

July 12, 2006

EXHIBIT A

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Notice of Allowability

Application No.

09/335,640

Examiner

Tadesse Hailu

Applicant(s)

CONWAY ET AL

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief as decided by the Board.
2. ☒ The allowed claim(s) is/are 1-63.
3. ☒ The drawings filed on 18 June 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/09), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Tadesse Hailu
July 5, 2005

EXHIBIT B

Country Application

Wednesday, July 26, 2006 Page: 1

Case Number: MSFTP362	Country: US	SubCase:
Client: Microsoft Corporation	United States of America	
Case Type: PRI	Application Status: Pending	
Application Number: 09/335,640	Filing Date: 18-Jun-1999	
Publication Number:	Publication Date:	
Patent Number:	Issue Date:	
Parent/PCT Number:	Parent/PCT Date :	
Parent Issue Number:	Parent Issue Date :	
Tax Schedule: LE	Expiration Date:	
Confirmation #:	Patent Term Adjustment: 0	
Agent:	Agent Reference No.:	

Country Application

Wednesday, July 26, 2006

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List Of Actions

Action(s) Due	Due Date		Action Taken
Filing Receipt	20-Sep-1999	Due Date	23-Jul-1999
US-Office Action	20-Feb-2002	Due Date	15-Mar-2002
US-Office Action	20-May-2002	Final	15-Mar-2002
US-Office Action	28-Jul-2002	Due Date	12-Aug-2002
US-Office Action	28-Nov-2002	Final	12-Aug-2002
File Petition to Revive	01-Mar-2003	Due Date	07-Apr-2003
File Notice of Appeal	07-Apr-2003	Due Date	07-Apr-2003
Appcal Brief Due	25-Jun-2003	Due Date	10-Jun-2003
1st Extension	25-Jul-2003	Reminder	10-Jun-2003
2nd Extension	25-Aug-2003	Reminder	10-Jun-2003
3rd Extension	25-Sep-2003	Reminder	10-Jun-2003
File Notice of Follow Up Date	07-Oct-2003	Due Date	21-Apr-2003
File Petition t Follow Up Date	07-Oct-2003	Due Date	21-Apr-2003
4th Extension	25-Oct-2003	Reminder	10-Jun-2003
File Reply Brief	26-Oct-2003	Due Date	24-Oct-2003
Request Oral Hearing	26-Oct-2003	Due Date	24-Oct-2003
7 Month Final Date	25-Nov-2003	Final	10-Jun-2003
US-Appeal Brief Follow Up Date	10-Dec-2003	Due Date	16-Jun-2003
Resubmit Req for Oral Hearing	29-Jan-2004	Due Date	23-Jan-2004
File Reply Brie Follow Up Date	24-Apr-2004	Due Date	04-Nov-2003
BPAI Docketing Notice	16-Aug-2004	Due Date	16-Aug-2004
Notice of Hearing Confirmation	18-Jan-2005	Final	13-Jan-2005
Oral Hearing	08-Mar-2005	Final	08-Mar-2005
Decision on Appeal	23-Mar-2005	Due Date	23-Mar-2005
Follow-up Oral Hearing Date	23-Jun-2005	Due Date	01-Feb-2005
Petition to Revive	23-Jul-2006	Due Date	